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PTO/SB/05 (11/00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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032904
OLD U.S. PTO
**UTILITY
PATENT APPLICATION
TRANSMITTAL**
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	674525-2011
First Inventor	BRIEND et al.
Title	MODULATORS
Express Mail Label No.	EV 385417040 US

PTO
44

22141
10/8/2004

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)
<i>(Submit an original, and a duplicate for fee processing)</i> | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (<i>Appendix</i>) |
| 2. <input type="checkbox"/> Applicant claims small entity status.
See 37 CFR 1.27. | 8. Nucleotide and/or Amino Acid Sequence Submission
<i>(if applicable, all necessary)</i> |
| 3. <input checked="" type="checkbox"/> Specification
<i>(preferred arrangement set forth below)</i> | a. <input checked="" type="checkbox"/> Computer Readable Form (CFR) |
| - Descriptive title of the invention | b. Specification sequence Listing on: |
| - Cross References to Related Applications | i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or |
| - Statement Regarding Fed sponsored R & D | ii. <input checked="" type="checkbox"/> paper |
| - Reference to sequence listing, a table, or a computer program listing appendix. | c. <input checked="" type="checkbox"/> Statements verifying identity of above copies |
| - Background of the Invention | |
| - Brief Summary of the Invention | |
| - Brief Description of the Drawings (<i>if filed</i>) | |
| - Detailed Description | |
| - Claim(s) | |
| - Abstract of the Disclosure | |
| 4. <input checked="" type="checkbox"/> Drawing(s)(35 U.S.C. 113) [Total Sheets 6] | |
| 5. Oath or Declaration (Unsigned) [Total Pages 3, unsigned] | |
| a. <input type="checkbox"/> Newly executed (original or copy) | 9. <input type="checkbox"/> Assignment Papers (cover sheet & documents(s)) |
| b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))
<i>(for continuation/divisional with Box 18 completed)</i> | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney
<i>(when there is an assignee)</i> |
| i. <input type="checkbox"/> DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). | 11. <input type="checkbox"/> English Translation Document (<i>if applicable</i>) |
| 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76. | 12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: | 13. <input type="checkbox"/> Preliminary Amendment |
| <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP) | 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)
<i>(Should be specifically itemized)</i> |
| September 27, 2002 | 15. <input type="checkbox"/> Certified Copy of Priority Document(s)
<i>(if foreign priority is claimed)</i> |
| Prior application information: Examiner: _____ Group/Art Unit: _____ | 16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach from PTO/SB/35 or its equivalent. |
| | 17. <input type="checkbox"/> Other: _____ |

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number	20999	or <input type="checkbox"/> Correspondence address below	
Name	Thomas J. Kowalski		
Address	745 Fifth Avenue, 10 th Floor		
City	New York	State	NY
Country	USA	Telephone	(212) 588-0800
Name (Print/Type)	Thomas J. Kowalski Anne-Marie C. Yvon, Ph.D.	Registration No. (Attorney/Agent)	32,147 52,390
Signature	Anne-Marie C. Yvon	Date	March 29, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$2,912.00)

Complete if Known	
Application Number	To Be Assigned
Filing Date	HEREWITH
First Named Inventor	BRIEND, et al.
Examiner Name	To be assigned
Attorney Docket No.	674525-2011

METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Order Other None
 Deposit Account:

Deposit Account Number

50-0320

Deposit Account Name

Frommer Lawrence & Haug LLP

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee	Code	Fee	Code		
770	1001	385	2001	Utility filing fee	770.00
340	1002	170	2002	Design filing fee	
530	1003	265	2003	Plant filing fee	
770	1004	385	2004	Reissue filing fee	
160	1005	80	2005	Provisional filing fee	
SUBTOTAL (1)		(\$770.00)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	96	-20** =	76	Extra Claims	Fee from below	Fee Paid
Independent Claims	12	-3** =	9	X	18.00	= 1,368.00
Multiple Dependent				X	86.00	= 774.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee	Code	Fee	Code		
18	1202	9	2202	Claims in excess of 20	
86	1201	43	2201	Independent claims in excess of 3	
290	1203	145	2203	Multiple dependent claim, if not paid	
86	1204	43	2204	** Reissue independent claims over original patent	
18	1205	9	2205	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$2,142.00)			

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES					
Large Entity	Small Entity	Fee Description			
Fee Code	\$	Fee Code	\$	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or Cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive- unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for continued examination(RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3) (\$)					

* Reduced by Basic Filing Fee

SUBMITTED BY					Complete (if applicable)
Name (Print/Type)	Thomas J. Kowalski, Esq. Anne-Marie C. Yvon, Ph.D.		Registration No. (Attorney/Agent)	32,147 52,390	Telephone (212) 588-0800
Signature	<i>Thomas J. Kowalski, Esq.</i>			Date	March 29, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggesting or reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AFC/Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING - SEPARATE PAPER - PATENT APPLICATION

Attorney Docket No. : 674525-2011
Title : MODULATORS
Filed : Herewith
Applicants : Emmanuel Cyrille Pascale BRIEND, Brian Robert CHAMPION and Robert Celeste Ercole SOLARI
Mailed : Via Express Mail Label # EV 385417040 US
Date : March 29, 2004

I hereby certify that the following items are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed: Transmittal Letter
Fee Transmittal
Sequence Listing – paper copy
Sequence Listing – electronic copy
Communication forwarding Sequence Listing
Application for Patent
(119 pages of specification, 9 pages of claims, numbered 120-128, 1 page of abstract, numbered 129)
Drawings (6 sheets, Figures 1-6)
PCT/RO/101, PCT/ISA/206
Declaration for Patent Application and Power of Attorney (unsigned)
Check in the amount of \$2,912.00
Return Receipt Postcard

Saddam Ahmed
Typed/printed name of person mailing paper or fee

S. Ahmed
Signature